

State of South Dakota

EIGHTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 2009

645Q0737

SENATE ENGROSSED NO. **SB 184** - 2/24/2009

Introduced by: Senators Hanson (Gary), Fryslie, Garnos, Maher, Peterson, and Schmidt and
Representatives Vanneman, Brunner, Hunhoff (Bernie), Jensen, Juhnke,
Lucas, and Turbiville

1 FOR AN ACT ENTITLED, An Act to require the terms of certain easements or options to
2 accommodate other easements for wind or essential services.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 43-13 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The terms of any easement for wind or essential services or option for wind or essential
7 services that is granted after July 1, 2009, shall accommodate reasonable use of other easements
8 for wind or essential services. For purposes of this section, the term, essential services, includes
9 any electric transmission and distribution lines and associated facilities, telecommunications
10 facilities, and rural water systems.

